



PATENT
ATTORNEY DOCKET NO. 00694635

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Kuehnel, et al.

Serial No.: 09/719,594

Filing Date: March 9, 2001

For: **ELECTRONICALLY
CONTROLLED ELECTRIC
MOTOR INTENDED FOR USE
IN AN ENVIRONMENT WITH
SOLVENTS**

) Group Art Unit:

) 2834

) Examiner:

) Gonzalez, J.

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Date of deposit: January 6, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 on the date indicated above and is addressed to Box RCE, Assistant Commissioner For Patents, Washington, D.C. 20231

Timothy Hubalik

(typed or printed name of person mailing paper or fee)

(signature of person mailing paper or fee)

Box RCE
Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Dear Sir:

Transmitted herewith for filing please find:

1. RCE Transmittal;
2. Certification of Translation Under MPEP § 201.15;
3. Petition for a Three Month Extension of Time;
4. Check for \$1,6800.00 (RCE and extension fees); and
5. Return Postcard.

If there are any additional fees due in connection with the filing of this response, please charge these additional fees (or credit any overpayment) associated with this communication to our Deposit Account No. 13-0019. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such extension is requested and such fee should also be charged to our Deposit Account.

MAYER, BROWN & PLATT
P.O. Box 2828
Chicago, Illinois 60690-2828
312-701-8773
Dated: January 6, 2003

Respectfully submitted,

Daniel H. Shulman
Attorney for Applicant
Reg. No. 45,106

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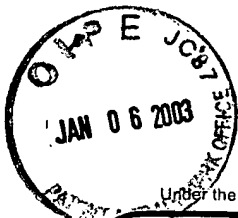
CERTIFICATION OF TRANSLATION UNDER MPEP § 201.15

Dear Sir:

Claims 7-11, 13, 15, 16, 18, 21 and 23-24 stand rejected under 35 U.S.C. § 103(a) based upon the combination of U.S. Patent No. 6,114,788 to Vuillemin et al., U.S. Patent No. 5,625,239 to Persson et al., and U.S. Patent No. 6,369,478 to Kohargi et al.

Applicants respectfully submit that Kohargi is not prior art under 35 U.S.C. § 102(e) based upon a foreign priority date of the instant application of April 13, 1999, based on German application 199 16 528.9. A certified copy of the priority document and translation was provided to the Patent Office by the PCT Office on March 9, 2001.

Pursuant to MPEP § 201.15, Applicants hereby certify that the translation of the priority document is accurate.



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Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.
See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/719,594
Filing Date	March 9, 2001
First Named Inventor	Kuehnel et al.
Group Art Unit	2834
Examiner Name	Gonzalez, J.
Attorney Docket Number	00694635

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 2002
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☐ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Certification of Translation Under MPEP 201.15

2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-0019
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 01/03/2003 BABRAHA1 00000024 09715594
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:1601 750.00 37
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 1,680.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Daniel H. Shulman	Registration No. (Attorney/Agent)	45,106
Signature		Date	January 6, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	
Signature	
Date	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.